

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (GBD) (SN)  
ECF Case

*This document relates to All Actions*

**DECLARATION OF MEGAN WOLFE BENETT, ESQ. IN SUPPORT OF  
APPLICATION FOR INTERNATIONAL JUDICIAL ASSISTANCE PURSUANT TO  
THE HAGUE CONVENTION OF 18 MARCH 1970 ON TAKING OF EVIDENCE  
ABROAD IN CIVIL OR COMMERCIAL MATTERS**

Megan Wolfe Bennett, Esq., hereby declares under penalty of perjury that:

1. I am an attorney duly admitted before the Courts of New York State and this Court, am a partner at Kreindler & Krienlder LLP, attorneys for Plaintiffs, and am familiar with the litigation and prior proceedings relevant to the subject motion.

2. I submit this declaration in support of Plaintiffs' Application for International Judicial Assistance Pursuant to the Hague Convention of 18 March 1970 on Taking of Evidence Abroad in Civil or Commercial Matters and Plaintiffs' efforts to take testimony of fact witness Alp Karli.

3. Plaintiffs first named Mr. Karli as a deposition witness in February 2019; the Kingdom filed a protective order to block his testimony in February 2020; and in August 2020 this Court instructed the Kingdom "to undertake additional steps to determine the identity of Karli's employer and inquire whether Karli will sit for a deposition." ECF No. 6408 at 39.

4. Following the Kingdom's refusal to provide contact information for Mr. Karli, after several requests by Plaintiffs between September and November 2020, the parties on December 6, 2020 met and conferred regarding Mr. Karli's deposition. The Kingdom in a letter

dated January 29, 2020 again refused to produce Mr. Karli's contact information. A true and correct copy of that letter is attached hereto as Exhibit A..

5. On January 6, 2001, the Kingdom of Saudi Arabia told Plaintiffs that Mr. Karli was being represented by counsel and referred Plaintiffs to attorney Benjamin D. Wood, a partner at the global law firm of Squire Patton Boggs. On February 3, 2021, Plaintiffs contacted Mr. Wood regarding their request to depose Mr. Karli. A true and accurate copy of that correspondence between Plaintiffs and Mr. Wood is attached hereto as Exhibit B.

6. During their subsequent telephone call, Mr. Wood requested access to FBI materials concerning Mr. Karli.. On February 10, 2021, Plaintiffs asked the Department of Justice to allow Plaintiffs to share FBI materials with Mr. Karli and Mr. Wood. A true and accurate copy of Plaintiffs' correspondence with counsel for the FBI regarding the documents is attached hereto as Exhibit C. *See* Pounian Decl., Exhibit C.

7. After Mr. Wood had received and reviewed the FBI materials, he advised Plaintiffs that he was working on getting available dates for Mr. Karli's deposition but then, on April 28, 2021, for the first time and contrary to his prior representations, told Plaintiffs that Mr. Karli would not sit voluntarily for a deposition. A true and accurate copy of this correspondence between Plaintiffs and Mr. Wood is attached hereto as Exhibit D.

8. Plaintiffs then provided Mr. Wood a subpoena to compel Mr. Karli's testimony, asking either for Mr. Karli's address or, alternatively, whether Mr. Wood would accept service. A true and accurate copy of that subpoena is attached hereto as Exhibit E. Plaintiffs were unable to serve the subpoena on Mr. Karli because Mr. Wood declined to accept service and, further, refused to provide an address for Mr. Karli.

9. Plaintiffs thereafter obtained Mr. Karli's address from counsel for the Kingdom of Saudi Arabia on May 3, 2021. A true and correct copy of the correspondence between Plaintiffs and counsel for the Kingdom is attached hereto as Exhibit F.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 5<sup>th</sup> day of May 2021.

/s/ Megan Wolfe Benett  
Megan Wolfe Benett, Esq.